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PTO/SB/21 (08-00)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number	09/688,077
Filing Date	October 13, 2000
First Named Inventor	Hirokazu SUGIHARA
Group Art Unit	1744
Examiner Name	D. Redding
Attorney Docket No.	369212000131

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form - 1 page + duplicate | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group  |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                          |
| <input checked="" type="checkbox"/> Amendment / Reply - 12 pages              | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)                   |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declarations                              | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request - 1 page        | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):                              |
| <input type="checkbox"/> Express Abandonment Request                          | <input type="checkbox"/> Terminal Disclaimer  | Copy of Consent Under 37 CFR 1.72 to Reissue By Assignee and Offer Under 37 CFR to Surrender Patent - 1 page |
| <input type="checkbox"/> Information Disclosure Statement                     | <input type="checkbox"/> Request for Refund   | Copy of Recorded Assignment - 2 pages  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)               | <input type="checkbox"/> CD, Number of CD(s) _____                                      | Return postcard  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application    | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53  |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018
Signature	E. Thomas Wheelock (Reg. No. 28,825)
Date	June 3, 2002

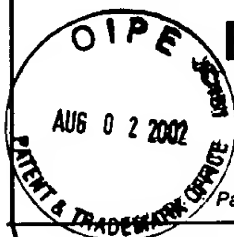
## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 3, 2002.

E. Thomas Wheelock

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2002



Patent fees are subject to annual revision.

## Complete If Known

Application Number 09/688,077  
 Filing Date October 13, 2000  
 First Named Inventor Hirokazu SUGIHARA  
 Examiner Name D. Redding1744  
 Group Art Unit 1744  
 Attorney Docket No. 369212000131

TOTAL AMOUNT OF PAYMENT

(\$920)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

03-1952

Deposit Account Name

Morrison &amp; Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	10	-10** =	Extra Claims	0	x	Fee from below	0	=	Fee Paid
Independent Claims	1	-1** =	0	x	0	=	\$0		
Multiple Dependent							\$0		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$920)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

E. Thomas Wheelock

Registration No.  
(Attorney/Agent)

28,825

Telephone

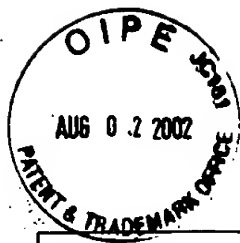
(650) 813-5739

Signature

Date

June 3, 2002

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PATENT  
Docket No. 369212000131

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EV093214765US Date of Deposit: August 2, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231

  
Tamara Albaraz

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Hirokazu SUGIHARA et al.

Serial No.: 09/688,077

Filing Date: October 13, 2000

For: CELL POTENTIAL MEASUREMENT  
APPARATUS HAVING A PLURALITY  
OF MICROELECTRODES

Examiner: D. Redding

Group Art Unit: 1744

TECHNOLOGY CENTER 1700

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**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**COPY OF PAPERS  
ORIGINALLY FILED**

In response to the Notice of Abandonment dated July 2, 2002 (Paper No. 6) in the above-referenced application, Applicants request withdrawal of the holding of abandonment. The reason given for abandonment found on form PTO-1432 was Applicants failure to file a response to the Office Action dated December 3, 2001, no response has been received by the PTO.

Applicants submitted a response to the Office Action on June 3, 2002.

Enclosed are copies of the correspondence mailed to the USPTO on the date of the certificate of mailing, June 3, 2002, that includes the Transmittal Form, Fee Transmittal, in

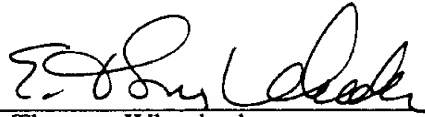
duplicate, Petition for Extension of Time - Three Months, Amendment, Copy of Consent Under 37 CFR 1.72 to Reissue By Assignee and Offer Under 37 CFR to Surrender Patent, copy of the Recorded Assignment, Copy of the Return Postcard dated June 3, 2002, and copy of the Notice of Abandonment. Also enclosed is a deposit account statement from Morrison & Foerster LLP identifying the date of the fee transaction.

In sum, evidence has been provided that shows the Amendment was timely filed on June 3, 2002. Therefore, withdrawal of the holding of abandonment is respectfully requested.

Respectfully submitted,

Dated: July 25, 2002

By:

  
E. Thomas Wheelock  
Registration No. 28,825

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5739  
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ATTORNEY DOCKET: 369212000131

SERIAL NO.: 09/688,077

FILING DATE: October 13, 2000

INVENTOR(S): Hirokazu SUGIHARA et al.

TITLE: CELL POTENTIAL MEASUREMENT APPARATUS HAVING A PLURALITY OF MICROELECTRODES

MAILING DATE: June 3, 2002

ATTY/Secy: ETW2/kab12

Papers enclosed herewith:

1. Transmittal - 1 page
2. Fee Transmittal - 1 page + duplicate
3. Amendment - 12 pages
4. Petition for Extension of Time - 1 page
5. Copy of Consent Under 37 CFR 1.72 to Reissue By Assignee and Offer Under 37 CFR to Surrender Patent - 1 page
6. Copy of Recorded Assignment - 2 pages

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pa-698480

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ATTORNEY DOCKET: 369212000131

SERIAL NO.: 09/688,077

FILING DATE: October 13, 2000

INVENTOR(S): Hirokazu SUGIHARA et al.

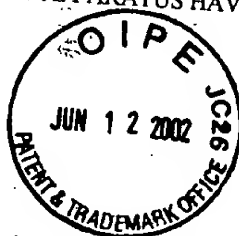
TITLE: CELL POTENTIAL MEASUREMENT APPARATUS HAVING A PLURALITY OF MICROELECTRODES

MAILING DATE: June 3, 2002

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